

UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND

JUDY JIEN, et al.,

Plaintiffs,

v.

PERDUE FARMS, INC., et al.,

Defendants.

C.A. No. 1:19-cv-02521-SAG

**NOTICE REGARDING THE
PROVISION OF CLASS ACTION
FAIRNESS ACT (CAFA)
SETTLEMENT NOTICES**

Tyson Foods, Inc. hereby provides notice that on January 13, 2025, it caused notice of its proposed class action settlement with Plaintiffs and the putative class in the above-captioned action to be provided to each appropriate federal and each appropriate state official by U.S. Postal Service Priority Express Mail, pursuant to 28 U.S.C. § 1715(b). The notice cover letters and service list are attached hereto as Attachments 1, 2, and 3.

Dated: January 14, 2025

Respectfully submitted,

/s/ John F. Terzaken

John Francis Terzaken, III (admitted *pro hac vice*)

Abram Ellis (admitted *pro hac vice*)

Simpson Thacher and Bartlett LLP

900 G St. NW

Washington, DC 20001

Tel: (202) 636-5500

john.terzaken@stblaw.com

aellis@stblaw.com

CERTIFICATE OF SERVICE

I hereby certify that on January 14, 2025, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notice to counsel for all parties that have appeared in this case.

/s/ John F. Terzaken

ATTACHMENT 1

Simpson Thacher & Bartlett LLP

900 G STREET, NW
WASHINGTON, D.C. 20001

TELEPHONE: +1-202-636-5500
FACSIMILE: +1-202-636-5502

Direct Dial Number

+1-202-636-5858

E-mail Address

john.terzaken@stblaw.com

VIA U.S. MAIL

January 13, 2025

Re: *Judy Jien, et al., v. Perdue Farms, Inc., et al., No. 1:19-cv-02521 (D. Md.)*

Hon. Merrick B. Garland
Attorney General of the United States
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Dear Attorney General Garland:

We write on behalf of Tyson Foods, Inc. (“Tyson”), defendant in the above-referenced putative class action lawsuit pending in the United States District Court for the District of Maryland before the Honorable Stephanie A. Gallagher (the “Action”). Pursuant to the Class Action Fairness Act of 2005 (“CAFA”), specifically 28 U.S.C. § 1715, Tyson hereby provides notice that a proposed class action settlement with the putative plaintiff class has been filed with the Court in this matter.

In accordance with its obligations under 28 U.S.C. § 1715(b), Tyson provides the enclosed CD-ROM, which includes copies of the documents identified below, and advises as follows:

1. Copy of the complaint, all materials filed with the complaint, and any amended complaints.

Included on the CD-ROM are the original Complaint (ECF No. 1), Consolidated Complaint (ECF No. 196), First Amended Consolidated Complaint (ECF No. 258), Second Amended Consolidated Complaint (ECF No. 386), and Third Amended Consolidated Complaint (ECF No. 590), and all attendant materials.

Hon. Merrick B. Garland

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January 13, 2025

2. Notice of any scheduled judicial hearing.

The Court has not scheduled a hearing to consider plaintiffs' motion for preliminary approval of the proposed Tyson settlement. A final approval hearing also has not yet been scheduled. Please note that other hearings may be scheduled, but you will not receive any further notice, other than this document, regarding the scheduling of any of the hearings referenced in this paragraph.

3. Any proposed or final notification to class members of a proposed settlement.

Included on the CD-ROM are the Proposed Draft Notices, attached as Exhibits B through G to Plaintiffs Renewed Motion to Direct Notice (ECF No. 975), filed on December 24, 2024.

4. Any proposed or final class action settlement.

The proposed Settlement Agreement Between Class Plaintiffs and Defendant Tyson Foods, Inc. is attached as Exhibit I to Plaintiffs' Motion for Preliminary Approval of Settlements with Defendants Allen Harim Foods, LLC, Amick Farms, LLC, Butterball, LLC, Fieldale Farms Corporation, Foster Poultry Farms, Jennie-O Turkey Store, Inc., Koch Foods, Inc., O.K. Foods, Inc, Tyson Foods, Inc., and Keystone Foods, LLC, Certification of Settlement of Class, and Appointment of Settlement Class Counsel (ECF No. 974) ("Motion"). The Motion, accompanying declaration, and all exhibits are included in the CD-ROM.

5. Any settlement or other agreement contemporaneously made between class counsel and counsel for the defendants.

No other settlement or agreement has been contemporaneously made between counsel for the putative plaintiff class and counsel for Tyson.

6. Any final judgment or notice of dismissal.

Final judgment has not yet been entered as to the proposed class settlement with respect to the putative class.

7. Class members who reside in each State and the estimated proportionate share of the claims of such members to the entire settlement.

Tyson advises that it is not feasible at the present time to provide the names (or number) of class members of the proposed settlement class who reside in each State or the estimated proportionate share of the claims of such members to the entire settlement. That information will not be known until after notice

Hon. Merrick B. Garland

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January 13, 2025

of the settlement is given and eligible class members submit claim forms. Pursuant to the terms of the settlement agreement, monetary relief will be available to eligible class members who properly submit claims and supporting documentation. And the amount of each class member's recovery will be determined by a plan of allocation that has not yet been submitted to the Court for approval. As a result, Tyson is unable at this time, and absent completion of the contemplated claims processes, to provide a reasonable estimate of the number of settlement class members residing in each State or the estimated proportionate share of the claims of such members. Upon the conclusion of the claims processes, the names (or number) of the class members per State and the estimated proportionate share of their claims will be available, if requested by you, from the claims administrator.

8. Any written judicial opinion relating to the materials described in item numbers 3-6.

There are no written judicial opinions relating to the materials described in item numbers 3-6.

Tyson submits this notice in a good faith effort to comply with any obligations it may have pursuant to 28 U.S.C. § 1715. The documents on the enclosed CD-ROM are those that have been publicly filed with the Court; you will not receive further notice of any additional documents filed, but they will be publicly available on the Court's docket online. In accordance with 28 U.S.C. § 1715(d), the Court will not finally approve the proposed class action settlements until at least 90 days after service of this notice. If you have any questions about this notice, the lawsuit, or the enclosed materials, or if you did not receive any of the above-listed materials, please contact the counsel listed below.

Very truly yours,



John Terzaken

Enclosure

ATTACHMENT 2

Simpson Thacher & Bartlett LLP

900 G STREET, NW
WASHINGTON, D.C. 20001

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E-mail Address

john.terzaken@stblaw.com

VIA U.S. MAIL

January 13, 2025

Re: *Judy Jien, et al., v. Perdue Farms, Inc., et al., No. 1:19-cv-02521 (D. Md.)*

Thomas J. Vilsack
US Department of Agriculture
Office of the General Counsel
Room 107W, Whitten Building
1400 Independence Ave SW
Washington, DC 20250

Dear Secretary Vilsack:

We write on behalf of Tyson Foods, Inc. (“Tyson”), defendant in the above-referenced putative class action lawsuit pending in the United States District Court for the District of Maryland before the Honorable Stephanie A. Gallagher (the “Action”). Pursuant to the Class Action Fairness Act of 2005 (“CAFA”), specifically 28 U.S.C. § 1715, Tyson hereby provides notice that a proposed class action settlement with the putative plaintiff class has been filed with the Court in this matter.

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Very truly yours,



John Terzaken

Enclosure

ATTACHMENT 3

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VIA U.S. MAIL

January 13, 2025

Re: *Judy Jien, et al., v. Perdue Farms, Inc., et al., No. 1:19-cv-02521 (D. Md.)*

All U.S. State Attorney Generals
Addresses Annexed Hereto as Exhibit A

Dear Sir or Madam:

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All U.S. State Attorney Generals

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All U.S. State Attorney Generals

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Very truly yours,



John Terzaken

Enclosure

U.S. State Attorney Generals and Addresses**Exhibit A**

Hon. Merrick B. Garland Attorney General of the United States of America U.S. Department of Justice 950 Pennsylvania Avenue, N.W. Washington, DC 20530	US Department of Agriculture Office of the General Counsel Room 107W, Whitten Building 1400 Independence Ave SW Washington, DC 20250
Attorney General for Alaska 1031 W. 4 th Avenue, Suite 200 Anchorage, AK 99501	Office of the Attorney General 501 Washington Avenue Montgomery, AL 36104
Attorney General for Arkansas 323 Center St., Suite 200 Little Rock, AR 72201	Attorney General for Arizona 2005 N Central Ave Phoenix, AZ 85004-2926
CAFA Coordinator Office of the Attorney General Consumer Law Section 455 Golden Gate Ave., Suite 11000 San Francisco, CA 94102	Attorney General for Colorado Ralph L. Carr Colorado Judicial Center, 1300 Broadway, 10th Fl Denver, CO 80203
Attorney General for Connecticut 165 Capitol Avenue Hartford, CT 06106	Attorney General for DC 400 6 th Street, NW Washington, DC 20001
Attorney General for Delaware Carvel State Office Bldg. 820 N. French St. Wilmington, DE 19801	Attorney General for Florida PL-01, The Capitol Tallahassee, FL 32399-1050
Attorney General for Georgia 40 Capitol Square SW Atlanta, GA 30334	Attorney General for Hawaii 425 Queen St. Honolulu, HI 96813
Attorney General for Iowa Hoover State Office Bldg., 1305 E Walnut St Des Moines, IA 50319	Office of the Attorney General for Idaho Consumer Protection Division 700 W. Jefferson Street, Suite 210 P.O. Box 83720 Boise, ID 83720-0010

Attorney General for Illinois 500 South Second Street Springfield, IL 62701	Attorney General for Indiana Indiana Government Center South 302 W. Washington St, 5th Floor Indianapolis, IN 46204
Attorney General for Kansas 120 SW 10th Ave., 2nd Fl. Topeka, KS 66612	Office of the Attorney General Office of Consumer Protection 700 Capitol Avenue, Capitol Building, Suite 118, Frankfort, KY 40601
Attorney General for Louisiana 1885 N 3 rd Street Baton Rouge, LA 70802	Office of Attorney General Trial Division 1 Ashburton Pl., 18 th Floor Boston, MA 02108
Attorney General for Maryland 200 St. Paul Pl. Baltimore, MD 21202	Attorney General for Maine 6 State House Station Augusta, ME 04333
Attorney General for Michigan G. Mennen Williams Bldg., 7th Fl. 525 W. Ottawa St. P.O.Box 30212 Lansing, MI 48909	Office of Minnesota Attorney 445 Minnesota Street, Suite 1400 Saint Paul, MN 55101
Missouri Attorney General's Office Supreme Court Building 207 W High St. P.O. Box 899 Jefferson City, MO 65101	Attorney General for Mississippi P.O. Box 220 Jackson, MS 39205
Office of the Attorney General Justice Building, Third Floor 215 North Sanders P.O. Box 201401 Helena, MT 59620-1401	Attorney General for North Carolina 114 West Edenton Street Raleigh, NC 27603
Office of Attorney General 600 E. Boulevard Ave., Department 125 Bismarck, ND 58505-0040	Nebraska Attorney General's Office 2115 State Capitol P.O. Box 98920 Lincoln, NE 68509
Attorney General for New Hampshire 1 Granite Pl Concord, NH 03301	Office of the Attorney General for New Jersey Office of Consumer Protection Richard J. Hughes Justice Complex

Attorney General for New Mexico 408 Galisteo St. Villagra Bldg. Santa Fe, NM 87501	Attorney General for Nevada 100 N. Carson St. Carson City, NV 89701
CAFA Coordinator New York Attorney General 28 Liberty Street, Fl 15 New York, NY 10005-1495	Attorney General for Ohio 30 E. Broad St., 14th Floor Columbus, OH 43215
Attorney General for Oklahoma 313 NE 21st St. Oklahoma City, OK 73105	Attorney General for Oregon Oregon Department of Justice 1162 Court St. NE Salem, OR 97301
Office of the Attorney General Bureau of Consumer Protection 16th Floor, 1600 Strawberry Square Harrisburg, PA 17120	Attorney General for Rhode Island 150 S. Main St. Providence, RI 02903
Attorney General for South Carolina Rembert Dennis Bldg P.O.Box 11549 Columbia, SC 29211-1549	Office of the Attorney General Division of Consumer Protection 1302 E. Hwy 14 Suite 1 Pierre, SD 57501-8501
Office of the Attorney General and Reporter P.O. Box 20207 Nashville, TN 37202-0207	Office of the Attorney General P.O. Box 12548 Austin, TX 78711-2548
Office of the Attorney General P.O. Box 142320 Salt Lake City, UT 84114-2320	Attorney General for Virginia 202 North Ninth Street Richmond, VA 23219
Attorney General for Vermont 109 State St. Montpelier, VT 05609	Office of the Attorney General for Washington 1125 Washington St SE PO Box 40100 Olympia, WA 98504-0100

Attorney General for Wisconsin P. O. Box 7857 Madison, WI 53707-7857	Office of the Attorney General Consumer Protection & Antitrust Division 1900 Kanawha Blvd. E Bldg. 1, Rm. E26 State Capitol Complex Charleston, WV 25305-0009
Office of the Attorney General Civil Division Pioneer Building, 3 rd Floor 2424 Pioneer Avenue Cheyenne, WY 82002	Attorney General for American Samoa American Samoa Government P.O. Box 7 Utulei, American Samoa 96799
Attorney General for Guam 590 S. Marine Corps Drive ITC Bldg., Suite 901 Tamuning, GU 96913	Attorney General for the Northern Mariana Islands PO Box 10007 Saipan, MP 96950
Attorney General of Puerto Rico District of Puerto Rico Torre Chardón, Suite 1201 350 Carlos Chardón Street San Juan, PR 00918	Acting Attorney General for Virgin Islands 3438 Kronprindsens Gade GERS Bldg, 2nd Fl St. Thomas, VI 00802
Attorney General for the Republic of the Marshall Islands PO Box 890 Majuro, MH 96960	Secretary, Dept. of Justice for the Federated States of Micronesia PO Box PS53, Palikir Pohnpei, FM 96941